

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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VALE S.A.,

Petitioner,

-against-

BSG RESOURCES LIMITED,

Respondent.

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Case No. 19-cv-3619 (VSB) (RWL)

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STIPULATION AND VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

WHEREAS, in the above-captioned proceeding, Vale S.A. filed a petition for recognition and enforcement of a foreign arbitral award against respondent BSGR Resources Limited;

WHEREAS, Vale S.A., Vale Holdings B.V., and Vale International S.A. (collectively, “Vale”) served a subpoena on non-party Fine Arts NY LLC (“Fine Arts” and together with Vale, the “Parties”) in a proceeding captioned *In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A. for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings*, No. 20-mc-199-JGK-OTW (the “1782 Proceedings”), in which the Court authorized Vale to issue a number of subpoenas pursuant to 28 U.S.C. § 1782, in aid of discovery for *Vale S.A. v. Steinmetz*, No. CL-2019-000723 (EWHC), before the High Court of Justice, Business and Property Courts of England and Wales, Commercial Court (QBD);

WHEREAS, Fine Arts produced documents and provided certain other information in response to the subpoena (the “Document Production”);

WHEREAS, Vale S.A. served on non-party Fine Arts a subpoena in the above-captioned proceeding for discovery in aid of execution pursuant to F.R.C.P. 69(a)(2) to which Fine Arts’ Document Production was responsive;

WHEREAS, Fine Arts claims it is entitled under the Federal Rules of Civil Procedure to the reasonable fees and costs of compliance associated with the Document Production;


WHEREAS, the Document Production did not provide any evidence that Fine Arts or Messrs. Mionis, Camhis or Procopis acted as Steinmetz’s agents in connection with investments made by Fine Arts or these individuals, or that they were involved with any effort by Mr. Steinmetz or any Steinmetz entity to hide assets from creditors;

IT IS HEREBY STIPULATED THAT: each of the Parties and Messrs. Mionis, Camhis and Procopis agrees to release each other of all claims arising from, or relating to, the above-captioned proceeding, *Vale S.A. v. BSG Resources Ltd.*, No. 19-cv-3619-VSB-RWL, *In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A. for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings*, No. 20-mc-199-JGK-OTW, and *Vale S.A. v. Steinmetz*, No. CL-2019-000723 (EWHC), with each Party to pay its own attorneys' fees, expenses, and costs.

SO STIPULATED AND AGREED.

Dated: April 28, 2023

CLEARY GOTTlieb STEEN & HAMILTON LLP

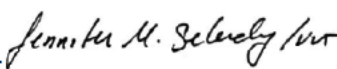
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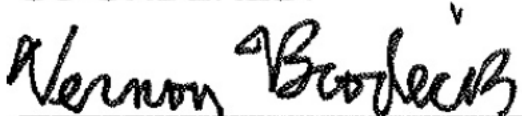
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*Attorneys for Fine Arts NY LLC, Sabby
Mionis, Marcos Camhis and Yannis
Procopis*

SO ORDERED: 12/12/2023



HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

The Clerk of Court is respectfully directed to
close this case.